

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....

In the Matter of

Docket No.

A Person Alleged to be a Person
in Need of Supervision,

PETITION
(Violation of
Order of Disposition)

Respondent.

.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner is [specify name and title]:

2. The above-named Respondent was adjudicated by this Court to be a person in need of supervision by an order of Fact-finding and Disposition of this Court, dated [specify]:
A copy of the order is annexed as Exhibit A.

3. Under the terms of the order, [check applicable box]:

judgment against the Respondent was suspended upon certain terms and conditions;

the Respondent was placed on probation upon certain terms and conditions;

the Respondent was placed with the Commissioner of Social Services of _____ County.

The order expires on [specify]:

4. The Respondent, without just cause, has willfully violated the terms and provisions of the order in that [specify]:

5. [Required where placement is requested; check applicable boxes and state facts and reasons]:

A. Continuation in or, if the Respondent had been removed prior to the hearing, return to, the Respondent's home would would not be contrary to Respondent's best interests

based upon the following facts and for the following reasons [specify]:

This assertion is based upon the following specific documents and evidence:

- Report of placement or other agency [specify]: _____, dated [specify]: _____
- Probation Department report, dated [specify]: _____
- Mental health evaluation, dated [specify]: _____
- Other [specify]: _____

AND

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home, and, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

- were made as follows [specify]: _____
- were not made **BUT THE LACK OF EFFORTS WAS APPROPRIATE [CHECK ALL APPLICABLE]**
 - because of a prior judicial finding pursuant to Family Court Act §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the parent(s) person(s) legally responsible for Respondent’s care [specify date of finding]: _____
 - because of other reasons [specify]: _____

were not made.

This assertion is based upon the following specific documents and evidence:

- Report of placement or other agency [specify]: _____, dated [specify]: _____
- Probation Department report, dated [specify]: _____
- Mental health evaluation, dated [specify]: _____
- Other [specify]: _____

6. [Required where Respondent is 16 years of age or older and placement is requested]:
The following special circumstances warrant placement of the Respondent [specify]: _____

7. No previous application has been made to any court or judge for the relief herein requested (except [specify; delete if inapplicable]: _____).

WHEREFORE, Petitioner requests that the Order of Disposition be revoked and that the Court make such other and further disposition of the Respondent under Article 7 of the Family Court Act as it may deem proper.

Dated:

Petitioner

VERIFICATION
(Individual)

STATE OF NEW YORK

ss.:

COUNTY OF

being duly sworn,

deposes and says:

That (s)he is the _____ in the above-entitled proceeding and is acquainted with the facts and circumstances thereof; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Sworn to before me this
day of

Petitioner

(Deputy) (Clerk of the Court)
(Notary Public)

VERIFICATION
(Agency)

STATE OF NEW YORK

ss.:

COUNTY OF

being duly sworn,

deposes and says:

That (s)he is the _____ of _____, an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstance's therein; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Name

Title and Agency

Sworn to before me this
day of

(Deputy) (Clerk of the Court)
(Notary Public)